

HOUSE BUDGET & RESEARCH OFFICE
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TOMORROW'S FORECAST

* The House will reconvene for its 30th Legislative Day on Thursday, March 7, at 10:00 AM.



GEORGIA HOUSE OF REPRESENTATIVES

DAILY REPORT

Tuesday, March 5, 2013

29th Legislative Day

TODAY ON THE FLOOR

CONFERENCE COMMITTEE REPORT

HB 105 - Supplemental appropriations; State Fiscal Year July 1, 2012 - June 30, 2013

- BILL SUMMARY: The Amended Fiscal Year 2013 budget totals \$19.3 billion in state funds and provides for a Mid-year adjustment for Education of \$172.7 million. The revenue estimate for this cycle has been reduced by \$16.5 million in state funds for the year ending June 30, 2013.

- **Authored By:** Rep. David Ralston of the 7th

- **House Committee:** Appropriations

- **Yeas:** 173; **Nays:** 000

- *Adoption of the conference committee report represents final passage of this bill.*

HB 266 - Internal Revenue Code; certain provisions of federal law into Georgia law; incorporate

- BILL SUMMARY: HB 266 is the annual update bill to bring the Georgia Revenue Code in line with the Internal Revenue Code. The bill extends the Section 179 (b) (1) and (2) income tax deductions at the current levels provided for within the code. Additionally, retirement income for airline pilots that was forced to be transferred into a Roth account in 2007 and therefore was subject to state tax will become eligible for a refund as long as an amended return is filed by Nov. 15 of this year. The bill also clarifies that the Research and Development credits established in §48-7-40.12 which were earned in tax year 2012 will apply to tax years 2012 and forward. Clarifying language to preclude on-road excise taxed fuel from is tax exempt under the GATE program was added to the bill as well requiring a good-faith standard be applied by retailers who are accepting sales tax exemption certificates. (As Passed House Version)

- **Authored By:** Rep. Allen Peake of the 141st

- **House Committee:** Ways & Means

- **Yeas:** 171; **Nays:** 000

- *Adoption of the conference committee report represents final passage of this bill.*

MOTIONS TO INSIST

HB 266 - Internal Revenue Code; certain provisions of federal law into Georgia law; incorporate

- BILL SUMMARY: HB 266 is the annual update bill to bring the Georgia Revenue Code in line with the Internal Revenue Code. The bill extends the Section 179 (b) (1) and (2) income tax deductions at the current levels provided for within the code. Additionally, retirement income for airline pilots that was forced to be transferred into a Roth account in 2007 and therefore was subject to state tax will become eligible for a refund as long as an amended return is filed by Nov. 15 of this year. The bill also clarifies that the Research and Development credits established in §48-7-40.12 which were earned in tax year 2012 will apply to tax years 2012 and forward. Clarifying language to preclude on-road excise taxed fuel from is tax exempt under the GATE program was added to the bill as well requiring a good-faith standard be applied by retailers who are accepting sales tax exemption certificates. (As Passed House Version)

- **Authored By:** Rep. Allen Peake of the 141st

- **House Committee:** Ways & Means

- *A motion to insist sends this bill back to the Senate for consideration.*

RULES CALENDAR

HB 104 - Special license plates; supporting the Appalachian Trail Conservancy; add

- BILL SUMMARY: HB 104 authorizes the creation of specialty license plates supporting the Appalachian Trail Conservancy and the Atlanta Braves. Ten dollars from the sale of each plate will go to the Appalachian Trail Conservancy and the Atlanta Braves Foundation respectively.
- **Authored By:** Rep. John Carson of the 46th
- **House Committee:** Motor Vehicles
- **Rule:** Modified-Structured
- **Yeas:** 168; **Nays:** 1

HB 123 - Parent and Teacher Empowerment Act; enact

- BILL SUMMARY: House Bill 123 enacts the "Parent and Teacher Empowerment Act" to convert existing schools to charter schools or to impose turnaround models for low achieving schools. This bill lists those who are able to submit petition to the local school board and the turnaround models that can be imposed.
- **Authored By:** Rep. Edward Lindsey of the 54th
- **House Committee:** Education
- **Rule:** Modified-Open
- **Amendments(s):** AM 33 1304
- **Yeas:** 97; **Nays:** 74

HB 164 - Sales and use tax; exemption regarding sale or use of engines, parts, equipment or other property used in maintenance of certain aircraft; eliminate sunset

- BILL SUMMARY: This legislation would extend the sunset date to June 30, 2015 for the exemption of sales tax on materials used for maintenance of aircraft that are repaired or maintained within the state, but are registered outside of the state.
- **Authored By:** Rep. Alex Atwood of the 179th
- **House Committee:** Ways & Means
- **Rule:** Structured
- **Yeas:** 169; **Nays:** 3

HB 188 - Professions and businesses; certain military certifications entitle persons to obtain certain professional licenses in this state; provide

- BILL SUMMARY: HB 188 provides for newly discharged veterans who have received specialized skilled trades training to be issued an initial license if the training received is determined by the agency to be sufficient for a license issuance. This initial license would only apply to the first application and the licensee would still be subject to future requirements. Additionally the legislation provides for a spouse of an active duty personnel stationed in Georgia, to be able to receive a license for certain skilled trades if the issuing agency determines that the craftsman has met standards that meet or exceed those standards established in Georgia.
- **Authored By:** Rep. Christian Coomer of the 14th
- **House Committee:** Defense & Veterans Affairs
- **Rule:** Modified-Open
- **Yeas:** 167; **Nays:** 2

HB 193 - Sales and use tax; tangible personal property to certain nonprofit health centers; provide exemption only for a limited period of time

- BILL SUMMARY: HB 193 seeks to provide a two year exemption for sales tax paid by certain non-profit groups. The exemption would begin on July 1, 2013 and continues through June 30, 2015. These groups would include: federally qualified nonprofit health centers (FQHC), nonprofit volunteer health clinics, qualified food banks, and qualified job training organizations. Additionally food donated for either purpose of hunger relief or in times of disaster would be exempt from sales tax during this time period.
- **Authored By:** Rep. Ron Stephens of the 164th
- **House Committee:** Ways & Means
- **Rule:** Structured
- **Yeas:** 177; **Nays:** 0

HB 215 - Superior courts; filings in the clerk's office; change provisions

- BILL SUMMARY: HB 215 allows for changes in office hours in the clerk's office for offices with three or fewer employees. It allows clerks to refuse filings that are not accompanied by the appropriate fees.
- **Authored By:** Rep. Tommy Benton of the 31st
- **House Committee:** Judiciary
- **Rule:** Modified-Open
- **Yeas:** 171; **Nays:** 0

HB 250 - Local excise tax; sale or use of energy; revise certain provisions

- BILL SUMMARY: HB 250 clarifies the manner in which localities can impose the excise tax on energy used in manufacturing as well as the manner in which that tax may be collected. Dealer for purposes of the energy excise tax means any person or company that sales energy in a retail format. These dealers are allowed compensation for the collection of such taxes, in the manner that 3% of the first \$3,000 and 1.5% thereafter, of any monthly amounts paid to each governmental authority which is levying such a tax. The bill also provides penalties and lays out what types of actions may be brought against dealers of energy that must remit these taxes, but which knowingly fail remit such taxes.
- **Authored By:** Rep. Tom Rice of the 95th
- **House Committee:** Ways & Means
- **Rule:** Structured
- **Yeas:** 170; **Nays:** 0

HB 276 - Hazardous site response; appropriations to Department of Natural Resources and Georgia Hazardous Waste Management Authority; change certain procedures

- BILL SUMMARY: HB 276 amends O.C.G.A. 12-8-95.1(h) by extending the levying of fees for the hazardous waste trust fund until July 1, 2018.

HB 276 also amends O.C.G.A. 12-8-95 relating to the Hazardous Waste Trust Fund by striking language that would allow for a transfer on an annual basis to the Georgia Hazardous Waste Management Authority (Pollution Prevention Assistance Division).

The bill also relates to tire disposal restrictions and fees by adding a new paragraph to O.C.G.A. 12-8-40.1(h) that states, "the fee amount provided for in this subsection shall be subject to to revision pursuant to Code Section 45-12-92.2."

This bill also extends the 75 cent per ton tipping fee collected by any solid waste disposal facility other than an inert landfill to 2018.

This bill also provides for automatic fee adjustments for the hazardous waste fees, the solid waste disposal fee, and the tire disposal fee.

For the purpose of making appropriations to the functions required to administer the programs supported by the fees collected, the Office of Planning and Budget (OPB) must determine the base amount of the fee. "Base amount" is defined as the total amount of fee proceeds collected during the fiscal year preceding the fiscal year for which the current appropriation amount is being determined. Additionally, OPB must establish what amount would be 25 percent of the base amount collected in fees, and add that amount to the current appropriation to determine the target amount of appropriation. If the new appropriation is equal to or greater than 95 percent of the base amount, or equal to or greater than the target amount, the amount of the fee collected will not be reduced.

However, if the new appropriation amount is less than the target appropriation amount, the fees collected will automatically be reduced by 25 percent. In this case, OPB must notify the collecting entity, when the Appropriations Act becomes law. Any fiscal year when the appropriation again meets the target amount, the fee amount will increase back to the prior amount. This new automatic adjustment of fees does not preclude any appropriation of greater amounts from taking place by OBP. Each collecting agency affected by this bill must confer with OPB to promulgate rules and regulations as would be required, including appropriate public notification of any fee amount change.

Prior to the adoption of the current fiscal year's amended supplementary appropriations bill, the application of a single fee outlined in this Code section may be waived and suspended for up to a single fiscal year.

- **Authored By:** Rep. Chad Nimmer of the 178th
- **House Committee:** Natural Resources & Environment
- **Rule:** Modified-Structured
- **Yeas:** 169; **Nays:** 2

HB 287 - Secretary of State, Office of; Division of Archives and History; reassign to Board of Regents of University System of Georgia

- BILL SUMMARY: HB 287 reassigns the Division of Archives and History from the Secretary of State's office to the Board of Regents of the University System of Georgia.
- **Authored By:** Rep. Matt Hatchett of the 150th
- **House Committee:** Governmental Affairs
- **Rule:** Modified-Open
- **Yeas:** 170; **Nays:** 0

HB 289 - Funds transfers; Uniform Commercial Code and federal law; clarify certain provisions

- BILL SUMMARY: HB 289 clarifies Article 4A of the Uniform Commercial Code's applicability to remittance transfers under the federal Electronic Fund Transfer Act.
- **Authored By:** Rep. Trey Kelley of the 16th
- **House Committee:** Judiciary
- **Rule:** Modified-Open
- **Yeas:** 175; **Nays:** 1

HB 304 - Freeport exemption; applicability to fertilizer production processes; clarify

- BILL SUMMARY: This legislation clarifies a part of the Freeport exemption law, so as to ensure that raw materials used in the production of fertilizers would enjoy the exemption.
- **Authored By:** Rep. Tom McCall of the 33rd
- **House Committee:** Ways & Means
- **Rule:** Structured
- **Yeas:** 165; **Nays:** 0

HB 323 - Motor vehicles; age for operation of certain commercial motor vehicle operators; modify

- BILL SUMMARY: HB 323 is the annual "housekeeping" bill for the Georgia Department of Public Safety (DPS). It codifies certain rules and regulations that had been adopted by DPS in order to be in compliance with federal law.
- **Authored By:** Rep. Alan Powell of the 32nd
- **House Committee:** Motor Vehicles
- **Rule:** Modified-Structured
- **Amendments(s):** AM 35 0321
- **Yeas:** 161; **Nays:** 7

HB 359 - Unclaimed property; commissioner of revenue to deposit certain funds in state treasury; require

- BILL SUMMARY: HB 359 provides the ability to the Commissioner of Revenue to deposit revenues from unclaimed property into the general fund instead of retaining such revenues in a segregated account of the state.
- **Authored By:** Rep. Chad Nimmer of the 178th
- **House Committee:** Ways & Means
- **Rule:** Structured
- **Yeas:** 167; **Nays:** 0

HB 366 - Peace officers; disciplining certified officers and requirements for certification; clarify application of provisions

- BILL SUMMARY: HB 366 replaces "peace officer" with "officer", which has the effect of bringing communications officers and jail officers, who are already certified by POST under the purview of the executive director to suspend their certification when they are indicted for a felony. Section two of the bill removes the requirement for 6 month waiting period for retaking the Academy Entrance Exam. The legislation also changes POST training requirements for year of initial training and the year of retirement. Also provides for the executive director to suspend the certification of those who fail to complete or submit evidence of annual training requirements.
- **Authored By:** Rep. Bill Hitchens of the 161st
- **House Committee:** Public Safety & Homeland Security
- **Rule:** Modified-Structured
- **Yeas:** 168; **Nays:** 0

HB 375 - Insurance; cancellations under certain circumstances relating to policy terms that permit an audit or rate investigation and noncompliance by insured; provide

- BILL SUMMARY: HB 375 provides that if the terms of a business insurance policy permit an audit or rate investigation and the insured fails to submit to or allow an audit or rate investigation for the current or most recently expired term, the insurer may, after notification of potential cancellation, send written notice to the insured at least ten days prior to the effective date of cancellation in lieu of the number of days' notice otherwise required by law. No cancellation notice shall be mailed within 20 days of the first documented effort to notify the policyholder of potential cancellation.

- **Authored By:** Rep. Bruce Williamson of the 115th

- **House Committee:** Insurance

- **Rule:** Modified-Open

- **Yeas:** 172; **Nays:** 1

HB 381 - Natural Resources, Department of; department creation and operation of a nonprofit corporation; revise provisions

- BILL SUMMARY: House Bill 381 amends O.C.G.A. 12-2-6 by allowing three members of the DNR Board to serve as non-voting members of the board of directors for the Georgia Natural Resources Foundation.

- **Authored By:** Rep. Matt Hatchett of the 150th

- **House Committee:** Natural Resources & Environment

- **Rule:** Modified-Open

- **Yeas:** 163; **Nays:** 11

HB 389 - Insurance; provide conversion and enhanced conversion rights and coverage; sunset requirements

- BILL SUMMARY: HB 389 provides that upon the effective date of to the federal Patient Protection and Affordable Care Act (ACA), an insurer shall not be required to offer conversion and enhanced conversion rights and coverage. Each insurer may terminate, cancel, or nonrenew all existing conversion and enhanced conversion coverage as of this date, provided that the insurer provides at least 90 days' notice prior to the discontinuance of the coverage to policyholders and to the Commissioner.

Finally, as of the ACA effective date, health insurers or managed care organizations shall not be required to offer health care policies under the Georgia Health Insurance Assignment System and Georgia Health Benefits Assignment System. Said insurer may terminate any existing policy provided that they provide at least 90 days notice to the insured and the Commissioner. An insurer may not terminate, cancel, or nonrenew any policy under this paragraph if, at the end of the 90 day cancellation period, the insured would not have at least 90 days of remaining open enrollment to obtain insurance coverage through an ACA exchange.

- **Authored By:** Rep. Darlene Taylor of the 173rd

- **House Committee:** Insurance

- **Rule:** Modified-Open

- **Yeas:** 150; **Nays:** 16

HB 393 - Georgia Workforce Investment Board; provide for powers and duties; provisions

- BILL SUMMARY: HB 393 aims to enumerate the powers and duties of the State Workforce investment Board; set a prioritization of service in addition to veterans and their spouses to add to those receiving unemployment compensation; defines entities who may act as a "fiscal agent/grant recipient"; codifies the role of the chief elected officials within the local workforce investment areas; mandates that local board set a quorum policy with a minimum 50 percent of board membership being present for meetings; set a clear conflict of interest policy for the local workforce boards so that members cannot hold contracts for services with the board in which they are asked to serve; establish contracting for services policy for local workforce areas; set sanctions for failing and non-performing local workforce areas in accordance with federal law; set a cap on supportive services as a percentage of total allotment provided to each local workforce area, and that supportive services must also have full documentation to each expenditure for each participant; provide the State Workforce Investment Board the authority to remove local workforce area board chairs and directors who are ineffective, not meeting performance standards, or having conflicts of interest; provide the State Workforce investment Board the authority to remove fiscal agents based on a lack of sound financial policies and recognized accounting standards; set an approval requirement for expenditures exceeding \$5,000 to a single vendor/sub-recipient/grantee in a local workforce area.

- **Authored By:** Rep. Mark Hamilton of the 24th

- **House Committee:** Industry and Labor

- **Rule:** Modified-Structured

- **Yeas:** 119; **Nays:** 50

HB 400 - Elections; population brackets and the census for approval of bonded debt; repeal certain provisions

- BILL SUMMARY: A Bill to repeal a population act originally applicable to Fulton County relating to the date to hold county-wide bond or school bond elections in the county's unincorporated areas.
- **Authored By:** Rep. Chuck Sims of the 169th
- **House Committee:** Intragovernmental Coordination
- **Rule:** Modified-Open
- **Yeas:** 171; **Nays:** 2

HB 443 - Fulton County Magistrate Court; successor to chief judge currently serving shall be appointed by Governor; provide

- BILL SUMMARY: A Bill to provide that the successor to the chief magistrate judge of the Magistrate Court of Fulton County currently serving shall be appointed by the Governor, to provide that after one four-year term, the chief magistrate shall be elected in nonpartisan elections, to provide for the appointment of magistrates, to provide for the assignment of responsibilities, and to provide for the filling of vacancies.
- **Authored By:** Rep. Wendell Willard of the 51st
- **House Committee:** Intragovernmental Coordination
- **Rule:** Modified-Open
- **Yeas:** 110; **Nays:** 56

HB 451 - Chattahoochee Judicial Circuit; provide for additional judge

- BILL SUMMARY: State appropriations have been set aside for two new judgeships. HB 451 provides for the appointment of two new judgeships in the order of priority suggested by the Judicial Council. HB 451 creates one new judgeship in the Chattahoochee circuit and one in the Oconee circuit and provides for initial appointment of the new judgeships by the Governor.

In addition, HB 451 provides for the election and term of the chief judge of the Chattahoochee Judicial Circuit.

The committee substitute adds provisions from Rep. Matt Ramsey's HB 56 which changes the county circuit dates for the Griffin Circuit. The Griffin Circuit includes Fayette, Pike, Spalding and Upson Counties.

- **Authored By:** Rep. Calvin Smyre of the 135th
- **House Committee:** Judiciary
- **Rule:** Modified-Open
- **Amendments(s):** AM 29 2154
- **Yeas:** 170; **Nays:** 0

HB 475 - Drivers' licenses; commissioner to enter into reciprocal agreements on behalf of Georgia for recognition of licenses issued by foreign territories; authorize

- BILL SUMMARY: HB 475 permits the Commissioner of Driver Services to enter into reciprocal agreements with other countries so that a holder of a valid driver's license in one country could obtain a license in the other without having to be tested. In Georgia, a foreign national would still have to prove lawful presence.
- **Authored By:** Rep. B.J. Pak of the 108th
- **House Committee:** Motor Vehicles
- **Rule:** Modified-Open
- **Yeas:** 174; **Nays:** 2

HB 480 - Crimes and offenses; list of persons who may be present in courtroom when person under age of 16 testifies concerning a sex offense; add victim assistance personnel

- BILL SUMMARY: When a person under the age of 16 is testifying in a criminal trial concerning a sexual offense, the court clears the courtroom except for certain enumerated persons. HB 480 adds a couple additional exceptions such as victim assistance coordinators and advocates.
- **Authored By:** Rep. Mandi Ballinger of the 23rd
- **House Committee:** Judiciary Non-Civil
- **Rule:** Modified-Open
- **Yeas:** 168; **Nays:** 4

HB 482 - Corrections, Department of; employees serving as certified peace officers may retain their weapons under certain circumstances; provide

- BILL SUMMARY: HB 482 allows an employee leaving his or her position after 20 or more years of service as a certified officer, within the Department of Corrections or Board of Pardons and Paroles, and under honorable conditions to retain his or her department issued weapon as part of his or her compensation.
- **Authored By:** Rep. Jay Neal of the 2nd
- **House Committee:** State Properties
- **Rule:** Modified-Open
- **Yeas:** 177; **Nays:** 0

HR 46 - Pierce Lovett Cline Memorial Bridge; Newton County; dedicate

- BILL SUMMARY: This substitute is the annual road facility dedication resolution. Included in the substitute are HRs: 46,47, 48, 72, 229, 272, 340, 450, 485, 503.
- **Authored By:** Rep. Doug Holt of the 112th
- **House Committee:** Transportation
- **Rule:** Modified-Structured
- **Yeas:** 176; **Nays:** 0

HR 389 - Affordable Care Act; \$100 billion federal sales tax on health insurance; request repeal

- BILL SUMMARY: HR 389 is a resolution requesting Congress to repeal the \$100 billion federal sales tax on health insurance imposed by the Affordable Care Act.
- **Authored By:** Rep. Alex Atwood of the 179th
- **House Committee:** Insurance
- **Rule:** Modified-Structured
- **Yeas:** 115; **Nays:** 52

HR 411 - Trooper Lieutenant Joseph "Joey" Keith Boatright Memorial Bridge; Carroll County; dedicate

- BILL SUMMARY: This substitute is a set of road facility dedications honoring fallen State Troopers who were killed in the line of duty serving the State of Georgia. The substitute includes HRs: 45, 71, 144, 145, 161, 217, 388, 411, 451, 487, 511.
- **Authored By:** Rep. Dustin Hightower of the 68th
- **House Committee:** Transportation
- **Rule:** Modified-Structured
- **Yeas:** 179; **Nays:** 0

HR 502 - Joint Study Committee on Mental Health and School Violence; create

- BILL SUMMARY: House Resolution 502 creates the Joint Study Committee on Mental Health and School Violence.
- **Authored By:** Rep. Kevin Tanner of the 9th
- **House Committee:** Health & Human Services
- **Rule:** Modified-Open
- **Yeas:** 175; **Nays:** 0

LOCAL CALENDAR

HB 505 - Madison County; board of elections and registration; create

- BILL SUMMARY: A Bill to create a board of elections and registration in Madison County and to provide for its powers and duties.
- **Authored By:** Rep. Alan Powell of the 32nd
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Open
- **Yeas:** 162; **Nays:** 0

HB 508 - Charlton County; Board of Education; change provisions relating to compensation of members

- BILL SUMMARY: A Bill to provide compensation for the members of the Charlton County Board of Education.
- **Authored By:** Rep. Ellis Black of the 174th
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Open
- **Yeas:** 162; **Nays:** 0

POSTPONED TO NEXT LEGISLATIVE DAY

HB 1 - Georgia Uniform Civil Forfeiture Procedure Act; enact

- **Authored By:** Rep. Wendell Willard of the 51st
- **House Committee:** Judiciary
- **House Committee Passed:** 2/28/2013
- **Rule:** Modified-Structured

HB 159 - Ad valorem tax; property tax bills shall not include any nontax related fees or assessments; provide

- **BILL SUMMARY:** This legislation defines what "nontax related fees or assessments". As well as provides that any partial payments made by the property owner shall be applied to the property tax balance first, and not the nontax related fees.
- **Authored By:** Rep. Brett Harrell of the 106th
- **House Committee:** Ways & Means
- **House Committee Passed:** 2/28/2013
- **Rule:** Structured

HB 238 - Public School Employees Retirement System; limitation on maximum level of benefits; clarify certain provisions

- **BILL SUMMARY:** HB 238 increases the membership dues for firefighters and volunteer firefighters that are members of the Georgia Firefighters' Pension Fund from \$15.00 to \$25.00 per month. This is a nonfiscal retirement bill.
- **Authored By:** Rep. Howard Maxwell of the 17th
- **House Committee:** Retirement
- **House Committee Passed:** 3/4/2013
- **Rule:** Modified-Open

HB 240 - Medicaid and PeachCare for Kids; certain speech-language pathology; require reimbursement

- **BILL SUMMARY:** House Bill 240 requires Medicaid and PeachCare for Kids to reimburse services provided by speech-language pathologists who are clinical fellows licensed by the State Board of Examiners for Speech-Language Pathology and Audiology.
- **Authored By:** Rep. John Carson of the 46th
- **House Committee:** Health & Human Services
- **House Committee Passed:** 2/27/2013
- **Rule:** Modified-Structured

HB 371 - Motor fuel tax; define liquefied natural gas

- **BILL SUMMARY:** Define liquefied natural gas as "methane or natural gas in the form of a cryogenic or refrigerated liquid for use as a motor fuel." And place a minimum on the gallon equivalent of liquefied natural gas, not to be less than 6.06 pounds.
- **Authored By:** Rep. Ben Harbin of the 122nd
- **House Committee:** Ways & Means
- **House Committee Passed:** 2/28/2013
- **Rule:** Structured

HB 402 - Conservation; shore protection and coastal marshlands protection; revise various provisions

- **BILL SUMMARY:** HB 402 amends the Shore Protection Act and the Coastal Marshland Protection Act by by extending DNR the authority to issue letters of permission and to impose reasonable fees for processing them. The bill defines the term "Letter of Permission" within the Acts to allow the Department of Natural Resources to authorize activities that do not result in new impacts outside of existing, serviceable structures or temporary activities that do not exceed six months. The bill also provides for a fifteen day public notice period prior to the issuance of any such letter.
- **Authored By:** Rep. Ron Stephens of the 164th
- **House Committee:** Natural Resources & Environment
- **House Committee Passed:** 3/4/2013
- **Rule:** Modified-Structured

HB 454 - Budget report; require certain items to be included in tax expenditure review

- BILL SUMMARY: House Bill 454 allows for the following analysis to be included in the tax expenditure review report when available: a detailed description of the expenditure, a review of intended Legislative purpose, effect on the administration of the tax system and entities benefiting from the expenditure.
- **Authored By:** Rep. Chuck Martin of the 49th
- **House Committee:** Budget and Fiscal Affairs Oversight
- **House Committee Passed:** 2/27/2013
- **Rule:** Modified-Open

HB 473 - Counties and municipal corporations; add option of fiscal year contracts

- BILL SUMMARY: This bill adds "fiscal year" to calendar year so that counties and municipal corporations that have multiyear lease, purchase or lease-purchase contracts can be utilized for those whose fiscal year does not match the calendar year.
- **Authored By:** Rep. Andrew J. Welch of the 110th
- **House Committee:** State Planning & Community Affairs
- **House Committee Passed:** 3/1/2013
- **Rule:** Modified-Open

HB 497 - Georgia Boat Safety Act; numbering and registration of vessels; revise provisions

- BILL SUMMARY: House Bill 497 relates to boat registration. Under this legislation, registration for vessels owned by individuals expires at the end of the owner's birth month in the last year of the registration period. Registration for vessels not owned by an individual expires on December 31 of the last year of the registration period. If a renewal is past due there will be a \$10.00 late fee due to the Department of Natural Resources. Additionally, the bill states that any application filed with the department which lacks any information and remains incomplete 60 days after will expire and the applicant will have to reapply and pay the registration fee. In the event that ownership of a vessel changes while the valid registration is in effect, the new owner will file a new application with DNR and submit the fee for new registration. The registration number will be identical to the previous number unless that number was reassigned by the department during an expired registration period.
- **Authored By:** Rep. Kevin Tanner of the 9th
- **House Committee:** Public Safety & Homeland Security
- **House Committee Passed:** 3/1/2013
- **Rule:** Modified-Structured

COMMITTEE ON RULES

** The Rules Committee will next meet on Wednesday, March 6, at 10:00 AM, to set the Rules Calendar for the 31st Legislative Day.*

COMMITTEE ACTION REPORT

Governmental Affairs

HB 203 - American Indian Tribes of Georgia; recognized legitimate tribes; remove certain information

- BILL SUMMARY: HB 203 removes, from Georgia Code, the mailing addresses for the recognized "American Indian Tribes" listed in O.C.G.A. 44-12-300.
- **Authored By:** Rep. Mark Hamilton of the 24th
- **Committee Action:** Do Pass

Governmental Affairs

HR 410 - International Olympic Committee; keep wrestling in Olympic games after 2016 Olympics in Rio de Janeiro, Brazil; request

- BILL SUMMARY: HR 410 is a resolution requesting that the International Olympic Committee keep wrestling in the Olympic Games after the 2016 Olympics in Rio de Janeiro, Brazil.
- **Authored By:** Rep. Mike Glanton of the 75th
- **Committee Action:** Do Pass

Intragovernmental Coordination

HB 536 - County law libraries; receipt and disbursement of funds by counties having a population of 950,000; repeal and reserve Code section

- BILL SUMMARY: A Bill to repeal a population Act originally applicable to Fulton County relating to the receipt and disbursement of funds for county law libraries.
- **Authored By:** Rep. Chuck Sims of the 169th
- **Committee Action:** Do Pass

Intragovernmental Coordination

HB 537 - Local boards of education; population provision prohibiting certain members from holding other offices; repeal

- BILL SUMMARY: A Bill to repeal a population Act originally applicable to DeKalb County relating to members of county boards of education holding no other elective governmental office.
- **Authored By:** Rep. Chuck Sims of the 169th
- **Committee Action:** Do Pass

Intragovernmental Coordination

HB 538 - County boards of health; population relative to superintendent of largest municipal school system in certain counties serving on board of health ex officio; repeal provision

- BILL SUMMARY: A Bill to repeal a population Act originally applicable to Cobb County relating to the superintendent of the largest municipal school system serving as an ex-officio member of the county board of health.
- **Authored By:** Rep. Chuck Sims of the 169th
- **Committee Action:** Do Pass

Intragovernmental Coordination

HB 539 - Campus police officers; repeal a portion of a definition based upon population classification

- BILL SUMMARY: A Bill to repeal a population Act originally applicable to DeKalb and Fulton Counties relating to definitions relative to campus police officers.
- **Authored By:** Rep. Chuck Sims of the 169th
- **Committee Action:** Do Pass

Intragovernmental Coordination

HB 540 - Board of education; pension board recompute pension to teachers and employees who retired prior to April 1, 1955 and who had been awarded a pension for 20 years service in counties of 500,000 population

- BILL SUMMARY: A Bill to repeal a population Act originally applicable to Fulton County relating to the pension board of the board of education and pensions paid to teachers and employees who had retired prior to April 1, 1955 and who had been awarded a basic pension for 20 years of service.
- **Authored By:** Rep. Chuck Sims of the 169th
- **Committee Action:** Do Pass

Judiciary

HB 100 - Emergency management; certain limitations regarding the possession and carrying of firearms during a declared state of emergency; prohibit

- BILL SUMMARY: HB 100 removes the power of any state or political subdivision to confiscate firearms, ammunition or their components from law abiding citizens during a declared emergency.
- **Authored By:** Rep. Delvis Dutton of the 157th
- **Committee Action:** Do Pass by Committee Substitute

Judiciary

HB 133 - Property easements; rights of way across private land for the purpose of access to cemetery sites; provide

- BILL SUMMARY: HB 133 provides for rights of way across private land for the purpose of access to cemetery sites. It provides for notice and immunity from liability for landowners.
- **Authored By:** Rep. Tommy Benton of the 31st
- **Committee Action:** Do Pass by Committee Substitute

Judiciary

HB 382 - Torts; governing authority of school that enters into recreational joint-use agreement with public or private entity; limit liability

- BILL SUMMARY: HB 382 provides that a Board of Education does not waive its sovereign immunity by allowing its recreation facilities to be used by another entity so long as there is a joint-use agreement, and the entity has \$1 million insurance policy.

Because state agencies cannot agree to hold harmless clauses in favor of third parties due to restrictions on waiving sovereign immunity, the committee substitute provides an exemption for the state. (1980 Att'y Gen. Op. 80-67)

- **Authored By:** Rep. Jay Powell of the 171st
- **Committee Action:** Do Pass by Committee Substitute

Judiciary

HB 474 - Historic preservation; additional uses which are not prohibited by law; clarify

- BILL SUMMARY: HB 474 allows a historic property owner to subdivide his or her property in accordance with local zoning regulations.
- **Authored By:** Rep. Wendell Willard of the 51st
- **Committee Action:** Tabled

Judiciary

HB 499 - Torts; payor guidelines and criteria under federal law shall not establish legal basis for negligence or standard of care for medical malpractice; provide

- BILL SUMMARY: HB 499 ensures that any administrative guideline set by the Affordable Care Act does not create a legal basis for negligence or the standard or duty of care owed by a health care provider to a patient in a medical malpractice.
- **Authored By:** Rep. Donna Sheldon of the 104th
- **Committee Action:** Do Pass by Committee Substitute

Judiciary

HB 506 - Chattahoochee Judicial Circuit; provide for selection of chief judge

- BILL SUMMARY: HB 506 provides for the election and term of the chief judge of the Chattahoochee Judicial Circuit.
- **Authored By:** Rep. Calvin Smyre of the 135th
- **Committee Action:** Do Pass

Judiciary

HB 520 - Sales and use tax; time for filing certificates providing for distribution of local option tax proceeds; extend temporarily

- BILL SUMMARY: HB 520 grants counties and cities which are in baseball arbitration regarding local option sales tax 120 days to file a new certificate with the Department of Revenue's Commissioner after the conclusion of baseball arbitration and any resulting appeals.
- **Authored By:** Rep. Tom Weldon of the 3rd
- **Committee Action:** Do Pass by Committee Substitute

Ways & Means

HB 520 - Sales and use tax; time for filing certificates providing for distribution of local option tax proceeds; extend temporarily

- BILL SUMMARY: HB 520 grants counties and cities which are in baseball arbitration regarding local option sales tax 120 days to file a new certificate with the Department of Revenue's Commissioner after the conclusion of baseball arbitration and any resulting appeals.

- **Authored By:** Rep. Tom Weldon of the 3rd

- **Committee Action:** Do Pass by Committee Substitute

** Bills passing committees are reported to the Clerk's Office, and are then placed on the General Calendar.*

COMMITTEE MEETING SCHEDULE

Wednesday, March 06, 2013

9:00 AM - 10:00 AM	NATURAL RESOURCES & ENVIRONMENT	506 CLOB
10:00 AM - 1:00 PM	MARTOC	406 CLOB
10:00 AM - 11:00 AM	RULES	341 CAP
11:00 AM - 1:00 PM	HEALTH & HUMAN SERVICES	606 CLOB
2:00 PM - 3:00 PM	INTRAGOVERNMENTAL COORDINATION	403 CAP

** This meeting schedule is up to date at the time of this report, but meeting dates and times are subject to change. To keep up with the latest schedule please visit www.house.ga.gov and click on [Meetings Calendar](#).*